

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Amendment #5 to RFP-4172-03/JVP – Scale House Management System

DEPARTMENT: Administrative Services

DIVISION: Purchasing and Contracts

AUTHORIZED BY: Frank Raymond

CONTACT: Gloria Garcia

EXT: 7123

MOTION/RECOMMENDATION:

Approve Amendment #5 to RFP-4172-03/JVP – Scale House Management System with Carolina Software, Wilmington, NC.

County-wide

Ray Hooper

BACKGROUND:

RFP-4172-03/JVP provides for the purchase of equipment, parts and repairs to the Scale House Management System for Seminole County Solid Waste. The scope of work also includes annual maintenance and technical support for a four (4) year period after the one (1) year warranty period. Carolina Software is the manufacturer of the parts /components and related services for WasteWorks, WasteWizard, WasteVision and WasteWalker.

Amendment #5 will provide for the extension of the agreement to cover through the life of the equipment (approximately ten [10] years) to ensure continued coverage of the equipment and services described above. Authorization for provision of services by the Contractor under this agreement shall be in the form of written Release Orders issued by the County and the expenditures consist of one time fees of \$43,423.49 for Wasteworks software installation on new landfill scales and scalehouse, \$70,929.35 for Wasteworks upgrades for Central Transfer Station and Landfill locations, and a recurring annual fee of \$17,700.00.

STAFF RECOMMENDATION:

Staff recommends the Board to approve Amendment #5 to RFP-4172-03/JVP – Scale House Management System with Carolina Software, Wilmington, NC.

ATTACHMENTS:

1. Amendment #5
2. Sole Source Form
3. Pricing Information

Additionally Reviewed By:

☒ County Attorney Review (Ann Colby)

**FIFTH AMENDMENT TO SCALE HOUSE MANAGEMENT SYSTEM PURCHASE AGREEMENT
(RFP-4172-03/JVP)**

THIS FIFTH AMENDMENT is made and entered into this _____ day of _____, 20____ and is to that certain Agreement made and entered into on June 10, 2003, as amended December 13, 2005, October 30, 2006, February 13, 2007 and on February 27, 2008, between **CAROLINA SOFTWARE, INC.**, whose mailing address is P.O. Box 3097, Wilmington, North Carolina 28406, hereinafter referred to as "CONTRACTOR," and **SEMINOLE COUNTY**, a political subdivision of the State of Florida, whose address is Seminole County Services Building, 1101 East First Street, Sanford, Florida 32771, hereinafter referred to as "COUNTY".

W I T N E S S E T H:

WHEREAS, the CONTRACTOR and COUNTY entered into the above referenced Agreement on June 10, 2003, as amended December 13, 2005, October 30, 2006, February 13, 2007 and on February 27, 2008 to supply a scale house management system for Seminole County; and

WHEREAS, the parties desire to amend the Agreement so as to enable both parties to continue to enjoy the mutual benefits it provides; and

WHEREAS, Section 21 of the Agreement provides that any amendments shall be valid only when expressed in writing and duly signed by the parties,

NOW, THEREFORE, in consideration of the mutual understandings and agreements contained herein, the parties agree to amend the Agreement as follows:

1. Section 2 of the Agreement is hereby amended to read:

SECTION 2. TERM. This Agreement shall take effect on the date of its execution by the COUNTY and shall run for a period of ten (10) years. Obligations entered therein by both parties shall remain in effect until delivery and acceptance of the materials authorized by the

Purchase Order. The first three (3) months of the initial terms shall be considered probationary; during that period the COUNTY may terminate this Agreement at any time, with or without cause, immediately upon written notice to the CONTRACTOR.

2. Except as herein modified, all terms and conditions of the Agreement shall remain in full force and effect for the term of the Agreement, as originally set forth in said Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this instrument for the purpose herein expressed.

ATTEST:

CAROLINA SOFTWARE, INC.

JANET H. BLANTON, Secretary
(CORPORATE SEAL)

By: _____
JONATHAN P. LEEDS, Vice-President

Date: _____

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida.

By: _____
BRENDA CAREY, Chairman

Date: _____

For the use and reliance
of Seminole County only.

Approved as to form and
legal sufficiency.

As authorized for execution
by the Board of County Commissioners
at their _____, 20____
regular meeting.

County Attorney
AEC/dg
4/21/08

P:\Users\Legal Secretary CSB\Purchasing 2008\Agreements\RFP-4172 5am.doc

SEMINOLE COUNTY - PURCHASING AND CONTRACTS DIVISION

☒ **SOLE SOURCE**

☐ **PROPRIETARY SOURCE**

Date Requested: March 27, 2008

Requisition No.: _____

Requestor: RICHARD MEINERT Telephone/Ext.: 2251 Department/Division: ES / SOLID WASTE MGMT

Description of Products/Services: Warranty Services and parts/components for WasteWorks, WasteWizard, WasteVision, and WasteWalker.

Make WasteWorks, WasteWizard, WasteVision, WasteWalker **Manufacturer** Carolina Software
Model# _____

Support justification (Please attached additional information as appropriate): Furnish customer support and miscellaneous supplies for the Central Transfer Station and Osceola Road Landfill Scale Management System

Proposed Vendor: CAROLINA SOFTWARE / V #204620 Phone# 910.799.6767 OFC / 910.799.1177 FAX

Other Companies contacted: (Attach documentation of each firm contacted)

PO BOX 3097, WILMINGTON, NC 28406

WWW.WASTEWORKS.COM

RFP-4172-03/JVP

Compliance:

Does the requirement comply with the definition of sole/proprietary source as described in Section 220.4? ☒ Yes ☐ No

Is this requirement:

Necessary: Is this commodity or service necessary to accomplish the County's task or mission? ☒ Yes ☐ No

Unique: Is this commodity or service, or some necessary features, unique to this source? ☒ Yes ☐ No

Compliance with Bid Tampering (F.S. 838.22) is acknowledged by signatures below:

Requesting Division Manager's Signature: *[Signature]* Date: 4/7/08

Requesting Department Director's Signature: *[Signature]* Date: 4/10/08

Purchasing and Contracts Division Determination:

Analyst	<input type="checkbox"/> Approval	<input type="checkbox"/> Disapproval	Date: _____
Supervisor	<input type="checkbox"/> Approval	<input type="checkbox"/> Disapproval	Date: <u><i>BCC approval</i></u>
Division Manager	<input type="checkbox"/> Approval	<input type="checkbox"/> Disapproval	Date: _____

Description Posted (at least 7 business days): From 4/22/08 to 4/30/08

Determination Posted (at least 3 business days): From _____ to _____

BCC Date, if applicable: 6/10/2008

Comments: Amendment # 5/ 600425 OF

Purchase Order No.: _____

Amount of Purchase: \$ _____

Scanned

From: Norwood, Carol
Sent: Tuesday, May 13, 2008 4:00 PM
To: Garcia, Gloria
Cc: Meinert, Richard; Dunning, Lisa
Subject: Carolina Software Contract information

Gloria,

Per our telephone conversation....

One time fee

43,423.49 Wasteworks for New Landfill Scales and Scalehouse for FY09/10

70,929.35 Wasteworks Upgrade for CTS and LF FY10/11

Recurring annual fee

17,700.00

All the price quotes are included in Amendment IV of current contract.

Thanks,

Carol Norwood
Senior Staff Assistant

Seminole County Solid Waste Management
Central Transfer Station
1950 State Road 419
Longwood, FL 32750

407.665.2257 Office
407.324.5731 FAX
cnorwood@seminolecountyfl.gov